

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORKJerry Ison

23-V-3402 (NSR)

(In the space above enter the full name(s) of the plaintiff(s).)

-against-

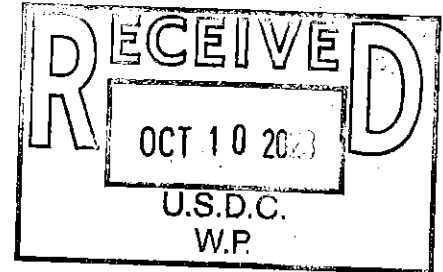
PA Kachappilly, Doctor
 L. JACKSON, DEP OF Health Services
 L. Malin, Department of Programs
 J. Manuel, Program COMM. Chairperson
 Michael Capra, SUPERINTENDENT
 ANTHONY J. ANNUECCI, ACTING COMM.
 Rachel Seguin, ACTING DIR. Grievance Programs
 Rod Rosario

AMENDED
COMPLAINT

under the
 Civil Rights Act, 42 U.S.C. § 1983
 (Prisoner Complaint)

Jury Trial: ☒ Yes ☐ No
 (check one)

(In the space above enter the full name(s) of the defendant(s). If you cannot fit the names of all of the defendants in the space provided, please write "see attached" in the space above and attach an additional sheet of paper with the full list of names. The names listed in the above caption must be identical to those contained in Part I. Addresses should not be included here.)



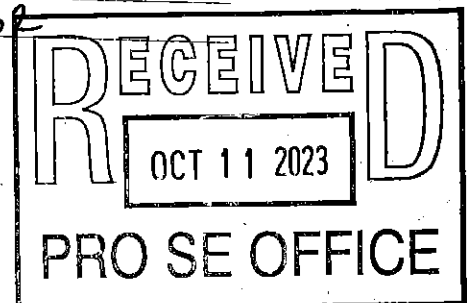
I. Parties in this complaint:

- A. List your name, identification number, and the name and address of your current place of confinement. Do the same for any additional plaintiffs named. Attach additional sheets of paper as necessary.

Plaintiff Name Jerry Ison
 ID # 18A2403
 Current Institution ATTICA Correctional Facility
 Address Box 149
ATTICA, New York 14011-0149

- B. List all defendants' names, positions, places of employment, and the address where each defendant may be served. Make sure that the defendant(s) listed below are identical to those contained in the above caption. Attach additional sheets of paper as necessary.

Defendant No. 1 Name PA Kachappilly, Doctor Shield #
 Where Currently Employed Sing Sing Corr. Facility
 Address 354 Hunter Street
OSSINING, New York 10568



Defendant No. 2 Name L. Jackson, Dep of Programs Shield #
Where Currently Employed Sing Sing Corr, Facility
Address 354 Hunter Street
Ossining, New York 10562

Defendant No. 3 Name L. Malin, Dep of Programs Shield #
Where Currently Employed Sing Sing Corr, Facility
Address 354 Hunter Street
Ossining, New York 10562

Defendant No. 4 Name J. Manuel, Program Comm, Chairperson Shield #
Where Currently Employed Sing Sing Corr, Facility
Address 354 Hunter Street
Ossining, New York 10562

Defendant No. 5 Name Michael Capra, Superintendent Shield #
Where Currently Employed Sing Sing Corr, Facility
Address 354 Hunter Street
Ossining, New York 10562
SEE ATTACH

II. Statement of Claim:

State as briefly as possible the facts of your case. Describe how each of the defendants named in the caption of this complaint is involved in this action, along with the dates and locations of all relevant events. You may wish to include further details such as the names of other persons involved in the events giving rise to your claims. Do not cite any cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. Attach additional sheets of paper as necessary.

A. In what institution did the events giving rise to your claim(s) occur?
Sing Sing Correctional Facility.

B. Where in the institution did the events giving rise to your claim(s) occur?
Sing Sing Medical department.

C. What date and approximate time did the events giving rise to your claim(s) occur?
Around October 10, 21

Defendant List and Service Addresses

Defendant #6 ANTHONY J. ANNUNCI, Acting Commissioner

DOCCS

Bldg 2, State Campus

Albany, New York 12226-2050

Defendant #7 Rachel Seguin, Acting Dir., Grievance Programs

DOCCS

Bldg 2, State Campus

Albany, New York 12226-2050

Defendant #8 Rosa Rosario Nurse Administrator

SING SING Corr. Facility

354 Hunter Street

OSSINING, New York 10562

D. Facts: I Was denied access to work for Food Service. Under 504 ACT ADA Act.

What happened to you?

Who did what?

My Provider, PA Kachappilly denied Me the opportunity to participate in this program.

Was anyone else involved?

L. JACKSON, Department of Health Services.

L. Malin, Department of Programs.

J. Manuel Program Committee Chairperson.

Michael Capra, Superintendent.

Anthony J. ANNCCI, Acting Commissioner.

Rachel Seguin, Acting Director, Grievance Programs.

Rox Rosario, Nurse Administrator

Who else saw what happened?

No one, but I spoke to my peers about what happen to me.

III. Injuries:

If you sustained injuries related to the events alleged above, describe them and state what medical treatment, if any, you required and received.

PTSD order, emotional distress, ANXIETY, Mental anguish, Loss of Weight

IV. Exhaustion of Administrative Remedies:

The Prison Litigation Reform Act ("PLRA"), 42 U.S.C. § 1997e(a), requires that "[n]o action shall be brought with respect to prison conditions under section 1983 of this title, or any other Federal law, by a prisoner confined in any jail, prison, or other correctional facility until such administrative remedies as are available are exhausted." Administrative remedies are also known as grievance procedures.

A. Did your claim(s) arise while you were confined in a jail, prison, or other correctional facility?

Yes ☒ No ☐

If YES, name the jail, prison, or other correctional facility where you were confined at the time of the events giving rise to your claim(s).

Sing Sing Correctional Facility

B. Does the jail, prison or other correctional facility where your claim(s) arose have a grievance procedure?

Yes ☒ No ☐ Do Not Know ☐

C. Does the grievance procedure at the jail, prison or other correctional facility where your claim(s) arose cover some or all of your claim(s)?

Yes ☐ No ☐ Do Not Know ☒

If YES, which claim(s)? _____

D. Did you file a grievance in the jail, prison, or other correctional facility where your claim(s) arose?

Yes ☒ No ☐

If NO, did you file a grievance about the events described in this complaint at any other jail, prison, or other correctional facility?

Yes ☐ No ☐

E. If you did file a grievance, about the events described in this complaint, where did you file the grievance?

At Sing Sing Correctional Facility

1. Which claim(s) in this complaint did you grieve? Denial of access to the Messhall Food Service Program.

2. What was the result, if any? Denied Access to participate in Food Service Program under 604 ACT ADA ACT.

3. What steps, if any, did you take to appeal that decision? Describe all efforts to appeal to the highest level of the grievance process. Superintendent as well as CORC, Central Office Review Committee.

F. If you did not file a grievance:

1. If there are any reasons why you did not file a grievance, state them here: _____

2. If you did not file a grievance but informed any officials of your claim, state who you informed, _____

when and how, and their response, if any: their response through
their OMISSION, were they did not investigate
this Matter or the grievance, I shouldn't be at
this point.

- G. Please set forth any additional information that is relevant to the exhaustion of your administrative remedies.

They did NOT investigate this Matter and if they
would have, I would of been place or cleared for
Food Service Program.

Note: You may attach as exhibits to this complaint any documents related to the exhaustion of your administrative remedies.

V. Relief:

State what you want the Court to do for you (including the amount of monetary compensation, if any, that you are seeking and the basis for such amount).

\$ 500,000 IN COMPENSATORY DAMAGES
FROM each defendant IN their individual and official capacity
FROM their VIOLATION OF Plaintiff's right under the First, Eighth,
and Fourteenth amendment OF Americans with disability Act
Plaintiff, IS further seeking relief IN regulatory action
FROM the N.Y.S. NEW YORK STATE and its administrative official,
through their Directive 4803 and PROVISIONS under the
AMERICANS with disability ACT IN and that SING SING Correctional
Facility, and all N.Y.S. Facilities Meets the Needs OF Plaintiff
and others who have disabilities
UNDER SO4 ACT and ADA ACT

VI. Previous lawsuits:

- A. Have you filed other lawsuits in state or federal court dealing with the same facts involved in this action?

Yes ☐ No ☒

On
these
claims

B. If your answer to A is YES, describe each lawsuit by answering questions 1 through 7 below. (If there is more than one lawsuit, describe the additional lawsuits on another sheet of paper, using the same format.)

1. Parties to the previous lawsuit:

Plaintiff NEW YORK POLICE DEPARTMENT & Rikers Island
 Defendants N.Y.C. & Rikers Island.

2. Court (if federal court, name the district; if state court, name the county) Eastern district & Southern.

3. Docket or Index number CAN'T REMEMBER.

4. Name of Judge assigned to your case DON'T KNOW

5. Approximate date of filing lawsuit 2016

6. Is the case still pending? Yes ☐ No ☒

If NO, give the approximate date of disposition 2018

7. What was the result of the case? (For example: Was the case dismissed? Was there judgment in your favor? Was the case appealed?) JUDGMENT IN MY FAVOR.

On
other
claims

C. Have you filed other lawsuits in state or federal court otherwise relating to your imprisonment?
 Yes ☐ No ☒

D. If your answer to C is YES, describe each lawsuit by answering questions 1 through 7 below. (If there is more than one lawsuit, describe the additional lawsuits on another piece of paper, using the same format.)

1. Parties to the previous lawsuit:

Plaintiff _____

Defendants _____

2. Court (if federal court, name the district; if state court, name the county) _____

3. Docket or Index number _____

4. Name of Judge assigned to your case _____

5. Approximate date of filing lawsuit _____

6. Is the case still pending? Yes ☐ No ☐

If NO, give the approximate date of disposition _____

7. What was the result of the case? (For example: Was the case dismissed? Was there judgment in your favor? Was the case appealed?) _____

I declare under penalty of perjury that the foregoing is true and correct.

Signed this 3 day of October, 2023

Signature of Plaintiff

Inmate Number

Institution Address

Jerry Esom
18A/2403
ATTICA Correctional Facility
Box 149
ATTICA, New York 14011-0149

Note: All plaintiffs named in the caption of the complaint must date and sign the complaint and provide their inmate numbers and addresses.

I declare under penalty of perjury that on this 3 day of October, 2023 I am delivering this complaint to prison authorities to be mailed to the *Pro Se* Office of the United States District Court for the Southern District of New York.

Signature of Plaintiff:

Jerry Esom

STATE OF FACT

- A. Plaintiff allege a violation of title II of Americans with disabilities ACT (ADA) 2 Plaintiff must allege (1) that he is a qualified individual with a disability (2) That he was excluded from participation in a public entity's services, programs or activities, or was otherwise discriminated against by a public entity (3) That such exclusion or discrimination was due to his disability.
- B. Section 504 of the (RA) prohibits a program or activity receiving federal funds from excluding or discriminating against persons based on disability, was excluded from such participation solely by reason of his handicap: and (4) was denied participation in a program that receives federal funds.
- C. I was treated differently from other similarly situated individuals without any rational basis. unequal treatment motivated by malicious or bad faith, intent to injure.
- D. To establish a violation under title II of (ADA) a Plaintiff must demonstrate that (1) he is a qualified individual with a disability: (2) The defendants are subject to the (ADA) and (3) The Plaintiff was, was denied the opportunity to participate in or benefit from defendants' services, programs, or activities or was otherwise discriminated against by defendants by reason of his disability.
- Americans with disabilities Act of 1990 § 202, 42 U.S.C.A. § 12132
 receive funds 1973 § 2 et seq. 29 U.S.C.A. § 701 et seq

STATE OF FACT

- E. Plaintiff allege that his mistreatment was motivated by either discriminatory animus or ill will due to disability Americans with disability act of 1990 § 202.42 U.S.C.A. § 12132.
- F. Plaintiff alleging a violation of Title II of (ADA) (1) intentional discrimination. (2) discrimination impact. and (3) a refusal to make a reasonable modification with disabilities act of 1990 § 202.42 USCA §. AT MINIMUM defendants had authority to address the wantonly reckless manner, under 504 Act reasonable accommodate.
- G. ONCE a defendant is on notice of a Plaintiff's disability it is required to engage in an interactive process in order to arrive at reasonable accommodation, NYC administrative code § 107(28). UNDER the ADA the interactive process is one by which Plaintiff and doctor should work together to assess whether an individual can be accommodated, Americans with disabilities Act of 1990 § 242 USCA § 12101.
- H. A covered entity shall not conduct a medical examination or make inquiries of a job applicant as to whether such applicant is an individual with a disability or as to the nature or severity of such disability.
- A covered entity may make preemployment into the ability of an applicant to perform job-related functions.

STATE OF FACT

- I. Michael Capra Superintendent of SINS SINS
NEW YORK STATE DEPARTMENT OF CORRECTIONS
Practice was so Persistent and widespread or Permanent
and well settled as to constitute a custom or usage with
the force of law and to imply the constructive knowledge of
Policymaking officials or (2) by identifying a failure to train
or supervise subordinates to local Policymakers were at minimum
deliberate indifferent as to know or obvious consequence of their
inaction with respect to custom.
- J. Inadequately train employees chooses not to train them, custom
or practice, Moral certainty that his employees will confront a
giving situation, mishandling the situation,
1) Intentional discrimination (2) discrimination impact,
3) a refusal to make a reasonable modification with disabilities
act of 1990 § 202 42 USCA §.
- K. Knowledge of disability is prerequisite to discrimination,
by reason of that disability in violation of Title II of Americans
disability Act, ADA and Rehabilitation Act of 1973 § 504, 29
USCA § 12132

STATE OF FACT

- L. I am a qualified individual under the Americans with Disabilities Act Title II who suffer from scoliosis, Curvature of the spine, I also suffer from a ulnar Nerve entrapment, right arm, Left brachial Plexus injury with chronic atrophy, right-knee gun shot wound with chronic RUE, right knee shorter than Left knee. I also receive disability income SSI.
- M. Complaint arise from October 7, 2020 from Correspondence I received from J. Manuel, Program Committee Chairperson, stating that ~~IM~~ I am ineligible to work for Mess hall service.
- IN another Letter from J. Manuel Program Committee Chairperson, she state they have not received an approved medical, and that was on March 23, 2021.
- N. Plaintiff received a response Letter from L. Malin, Deputy Superintendent for Programs on June 21, 2021 regarding my reasonable accommodation from requesting to be able to participate in Mess hall services.
- O. ON 11th of November 15, 2021 I wrote to Deputy, L Jackson of Medical Services tryin to find out why I am not being cleared for the Mess hall.
- P. ON November 29, 2021 I received a Letter from a quipex supervisor inmate Grievance Program, saying based on the injuries to both Left and right arm, I would not be cleared.

STATE OF FACT

- Q. Plaintiff File Grievance COMPLAINT ON October 21, 21 to Why I'm Not being Place in the Mess hall.
- R. Plaintiff received a Letter From L. Jackson (DSHS) Services, Stating I have been deemed UNSUITABLE by MY Medical Provider ON November 26, 21.
- S. ON 11/18/22 Complainant received his denial From superintendent, Michael Capra, stating there is NO support of allegation of discrimination.
- T. Complainant wrote back to deputy OF health services ON 11/31/2022 after the Superintendent denied his grievance, requesting to be reevaluated Per directive # 4803 reasonable Accomodation should be Made to Program 1/1 with disabilities, I received NO response.
- U. Complainant received his denial From COBC Central Office review committee.
- V. Now he File this Lawsuite under the civil rights Act 42 U.S. § 1983.

FIRST CAUSE OF ACTION

1. Defendant NO.1 P.A. Kachappilly My Provider denied Me access or the opportunity to Participate in the Marshall Program, Using False Pretense both My Left arm and right arm injuries.

P.A. Kachappilly My Provider at Sing Sing Correctional Facility. She Fall under Color of Law in an individual capacity and official capacity violated complainant rights under title II of the ADA 504. Through her intentional discrimination (2) discrimination impact and (3) refusal to Make a reasonable Modification with disabilities Act of 1990 § 202 42 USCA §.

Concern and Sympathy are Not, What the Statutes require, (Modification are.)

Knowledge of disability is prerequisite to discrimination by reason of that disability in violation of title II of American with disability Act ADA and Rehabilitation of 1973 § 504, 29 USCA § 794 Americans with disabilities Act of 1990 § 202, 42 USCA § 12132.

FIRST CAUSE OF ACTION

Defendant P.A. Kachappilly in a correspondence letter stating I'm ineligible to work in Messhall, with no good reason to why. Letter dated October 7, 2020. And that information sent to her from J. Manuel, Program Committee Chairperson.

IN another Correspondence Letter From Medical to J. Manuel, Program Committee Chairperson, stating I have not received an approved Medical. Correspondence letter dated March 23, 2021

ONE Letter From Q QUICK SUPERVISOR inmate grievance program dated October 18, 2021 she explain to me to consult with my medical provider to see what is preventing me from being cleared for the food service program.

Defendant P.A. Kachappilly notified L. Jackson (DSTS) of health services on November 26, 2021, telling her I have been deemed unsuitable by my medical provider, and I should speak to her.

IN a Follow up Letter From Q QUICK program supervisor to me, telling me based on injuries to both left and right arm I will not be cleared, and how do you want to proceed from here?

First Cause OF Action

Defendant P.A. Kachapilly totally disregarded Directive # 4803. PHILOSOPHY: Programs are designed to promote the rehabilitation of the inmate and their successful and productive reintegration into society.

And her intentional discrimination as well as deliberate indifference through her wantonly reckless manner, under 504 Act reasonable accommodation in violation of Plaintiff's rights under the First, Eight and Fourteenth amendment, of the United States Constitution as Mandates of Americans with disability Act.

SECOND CAUSE OF ACTION

Defendant #2 L. JACKSON, DEP OF HEALTH SERVICES, Sing Sing Correctional Facility, under color of state law in an individual capacity and official capacity after being informed of my condition, and why I was being denied access to the Mess hall.

I received a letter from her saying I was deemed unsuitable by my medical provider, letter dated 11/26/21. She failed to investigate this matter at all.

L. JACKSON DEP of health services displayed intentional discrimination or at minimum had some authority to address the wantonly reckless manner under 504 ACT reasonable accommodation.

Violation of Plaintiff's rights under the First, Eighth and Fourteenth amendment of the United States Constitution as Mandates of Americans with Disability Act.

Failing to comply with Sing Sing own ADA directive in maintaining a qualified ADA coordinator and advisory committee to handle ADA issues, failing to make efforts to integrate disabled inmates with the spirit of the ADA implementing regulations.

Maintaining "blanket exclusionary policies for disability inmates regarding access to various services activities and programs in violation of ADA."

Third Cause of action

Defendant #3 L. Malin Dep Superintendent
for programs Sing Sing Correctional Facility under color
state law in an individual capacity and official capacity.

I received a response letter from him about my reasonable accommodation form I submitted instead of filling the form out and sending it to medical he wrote back stating he could not understand what I was asking for.

He violated his own directive 4803 reasonable accommodation, his policy's practice was so persistent and widespread or permanent and well settled as to constitute a custom or usage with the force of law and to imply the constructive knowledge of policy making officials to intentional discrimination (2) discrimination impact; and (3) a refusal to make a reasonable modification with disabilities Act of 1990 § 202 42 USCA §.

And Failure to train or supervise as to know or obvious consequence of their inaction with respect to custom.

Inadequately train employees chooses not to train them. custom or practice, Moral certainty that his employees will confront a giving situation mishandling the situation.

Third Cause OF ACTION

DEP. Superintendent L. Malin OF Programs Violation OF Plaintiffs rights under the First, Eight and Fourteenth amendment OF the UNITE STATES CONSTITUTION as Mandates OF americans with disability Act.

Failing to "appropriately evaluate and address ADA accommodation request and disability-related grievance," Failing to identify and track disabilities and accommodation request in a meaningful way"

Failing "to comply with sing sing OWN directive in Maintaining a qualified ADA coordinator and advisory committee to handle ADA Issues."

Fourth Cause of Action

Defendant #4 ASS DEP Superintendent For Mental health J. Manuel Chairperson For Program Committee under Color of State Law, denied Me access to the Mess hall by not investigating the Matter at all, she had the Vise at her control right there her Computer, could of Look up My work history and seen I've been Cleard and work in Constock Prison Prior to Sing Sing Correctional Facility, and have a Food Service handling Certificate From Greenhaven Correctional Facility 1997, work For Food Service Fishkill Corr, Facility.

She sent Me a Letter stating Medical said I'm ineligible to work, and that was on October 7, 2020. IN another Letter dated March 23, 2021 stating she has Not receive approved Medical yet. IN her last letter to Me dated June 7, 2021 telling Me if I don't report to the Program Committee for a Job, I will automatically be place IN a Program/Job.

J. Manuel also displayed intentional discrimination or at minimum had some authority to address the wantonly reckless Manner under 504 Act reasonable accomodate, Violation OF Plaintiffs rights under the First Eight, 2nd Fourteenth amendment OF the United States Constitution as Mandates OF americans with disability Act.

Fourth Causes of Action

J. Manuel Program Committee Chairperson Violated directive 4803 Reasonable Accommodate, her Policies and Practice was so persistent and wide spread or Pervasive and well settled as to constitute a custom or usage with the force of law and to imply the constructive knowledge of Policy Making Official to intentional discrimination (2) discrimination impact; and (3) a refusal to make a reasonable modification with disabilities Act of 1990 § 202 42 USC § 3 and Failure to train or supervise as to know or obvious consequence of their inaction with respect to custom.

Inadequately trained employees, chooses not to train them, custom or practice, more certainty that his employees will confront a giving situation mishandling the situation.

Fifth Cause of Action

Defendant #5, Micheal Capra Superintendent of Sing Sing Correctional Facility under color of State Law, in an individual capacity and official capacity knowingly allowed his subordinates or as supervisor of his Facility had authority to address the Wantonly Reckless Manner under 504 Act reasonable accommodation.

Micheal Capra Superintendent of Sing Sing State Facility Practice was so Persistent and Widespread or Permanent and Well settled as to constitute a custom or usage with the Force of law and to imply the constructive knowledge of Policy Making officials to intentional discrimination (2) discrimination impact; 2nd (3) a refusal to make a reasonable modification with disabilities Act of 1990 § 202 42 USCA § and Failure to train or supervise as to know or obvious consequence of their inaction with respect to custom.

Superintendent denied my grievance on January 18, 22 by sayin there is no evidence to support the allegations of discrimination so why Micheal Capra denied my grievance and didnt Place me in the Mess hall

My Provider could of gave me Medical Uassian to back up her theory to support her allegations of Left and right arm ParaParesis and Neuropathy.

Fifth Cause of action

Michael Capa Superintendent of Sing Sing Correctional Facility Fail "to comply with the ADA in providing disabled inmates access to programs and services due to physical and architectural barriers,"

Failing to provide "adequately train staffed, and safe orderly assistance" whenever "physical modification have not been made to provide proper oversight of health care orderlies"

Failing "to comply with Sing Sing own ADA directives in maintaining a qualified ADA coordinator and advisory committee to handle ADA issues."

Failing to "make efforts to integrate disabled inmates within the spirit of the ADA implementing regulations"

Failing to "adequately train medical staff regarding compliance."

Failing to "appropriately evaluate and address ADA accommodation request and disability related grievance"

Failing to "identify and track disabilities and accommodation request in a meaningful way."

Fifth Cause of action

Failing to "accommodate disabled inmates in applying discipline" and

Maintaining "blanket exclusionary Policies for disabled inmates regarding access to various services, activities, and programs in violation of the ADA"

Inadequately trained employees chooses not to train them. Custom or Practice. Moral Certainty that his employees will confront a giving situation mishandling the situation,

Failing to act on information indicating that unconstitutional act were occurring and in violation of Plaintiffs right under the First, Eighth, and Fourteenth amendment of the United States Constitution as Mandates of Americans with disability Act.

SIX Cause OF Action

Defendant #6 ANTHONY J. ANNUCCI Acting
COMMISSIONER

He denied complainant grievance ON APRIL 7, 22 He Fall
Under color OF State Law. The denial was base ON his
administration judgment call base ON experience and available
information to prevent difficulties.

COMMISSIONER ANNUCCI he acted directly ~~if~~ not directly
indirectly as a supervisor under 1983 these defendants are under
his control he is held responsible cause he (1) Failure to
remedy a wrong after being informed through a report or appeal
(2) creation OF policy or custom that sanction conduct
amounting to a Constitution violation or allowing such a policy
or custom to continue. (3) grossly Negligent supervision OF
subordinates who committed a violation or (4) Failure to act ON
information indication that unconstitutional act were occurring,
and in violation OF Plaintiffs rights under the First, Eight,
Fourteen amendment OF the United States Constitution as
Mandate OF Americans with disability ACT.

Failing to track "Identify disabilities and accommodation
in a meaningful way" Maintaining blanket exclusionary
Policies for disabled inmates regarding access to various
services activities and Program in violation OF the ADA.

Seventh Cause of action

Defendant # 7 Rachael Seguin, Acting director incarcerated grievance Program under color of state law, fail to investigate and could have change course of my grievance, she could of spoke to Commissioner and explain to him my status and that I was drafted from Comstock Marshall to Sing Sing Correctional Facility. Rachael Seguin she review grievance that are denied by Superintendent's statewide, but she don't do ~~know~~ ^{NO} investigation, and it's rarely that a Commissioner will, overturn a Superintendent decision who runs a state Prison.

"Policy or custom"

I received a Memorandum receipt of appeal from her dated 3/17/2022, stating a disposition will be sent to you after the grievance is reviewed by CORC.

Rachael Seguin her office at CORC Practice was so persistent and widespread or permanent and well settled as to constitute a custom or usage with the force of law and to imply the constructive knowledge of policy making officials to intentional discrimination (2) discrimination impact: (3) a refusal to make a reasonable modification with disabilities Act 1990 § 202 42 USCA §

Seventh Cause of action

2nd Failure to train or supervise as to know or obvious consequence of their inaction with respect to custom.

Inadequately trained employees chooses not to train them, custom or practice, Moral certainty that his employees will confront a giving situation mishandling the situation.

Defendent Seguin through an investigation would have found that Mr. Ison work for other food handling services in other prisons, and have a food handling certificate from greenhaven correctional facility.

Acting director Grievance Program Violation of Plaintiffs rights under the First Eisht, 2nd Fourteenth amendment of the United states constitution as mandates of americans with disability Act.

Eight Cause of Action

Defendant #8 Rosa Rosario Nurse administrator
Under color of state Law in there individual capacity
and official ^{capacity} did knowingly conspire amongst N.Y.S. docs
administrative official when they failed to or adhere too
the provisions of directive # 4803.

IN a letter from Mr. Ison to the Nurse ~~adm~~ adm-
inistrator regarding a Medical Shower Pass due to my disab-
ility, cause Mr. Ison Provider P.A. Kachappilly wouldn't
assign him one. She displayed intentional discrimination,
(2) discrimination impact, and (3) a refusal to make a reason-
able Modification with disabilities Act of 1990 § 202 42 USC

Failing to comply with the ADA in providing
disabled inmates access to programs and services due to
Physical and architectural barriers.

Failing to provide adequately trained staff, and
orderly assistance whenever physical modifications
have not been made to provide access to handicapped
Prisoners, as well as a Failure to provide proper oversight,
oversight of health care orderlies.

Failing to adequately train Medical staff regarding
ADA compliance.

EIGHT CAUSE OF ACTION

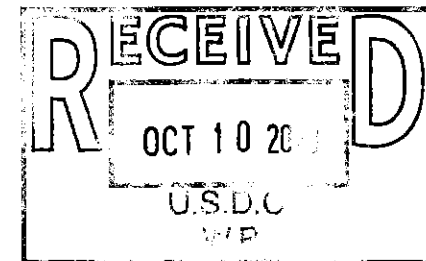
AT MINIMUM had authority to address the Wantonly
Reckless Manner, under 504 Act reasonable accommodate,
Knowledge of disability is Prerequisite to discrimination
by reason of disability in violation of title II of Americans
with disability Act, ADA and Rehabilitates Act of 1973 § 504
29 USCA § 794 AMERICANS with disabilities Act of 1990 §
202, 42 USCA § 12132, and in violation of Plaintiff rights
under the First Eight and Fourteenth amendment of the
United States Constitution as Mandates of Americans with
disability Act.

Jerry ISON #18K2103

Attica Correctional Facility
Box 149
Attica, New York 14011-0149

ATTICA
CORRECTIONAL FACILITY

NEOPOST
10/04/2023
US POSTAGE \$002.31⁰
ZIP 14011
041M11284163



PO SE Clerk
United States District Court
Southern District of New York
200 Quarropas Street
The Plains, NY 10601

SDNY

LEGAL MAIL
Five Free

LEGAL MAIL
Five Free

